80-1320

No. 80-

IN THE

Supreme Court of the United States

October Term, 1980

IN RE:

MARIA GRACIELA RAMIREZ

PETITION FOR WRIT OF MANDAMUS
RULE 27.1

MARIA GRACIELA RAMIREZ
Petitioner, Pro se
1517 Garcia Street
Laredo, Texas 78040
(512) 723-6925

Contentions Supporting Petition

I

Whereas—the presiding judge, Antonio Zardenetta, of the 111th Judicial District Court for Webb County, Texas—in full knowledge of the doctrines of justice before the courts of the U.S.A. nation—violated the right to due process of law at the court hearings of Cause No. 31,320 at such court, thereby silencing the testimony of petitioner (as defendant) Maria Graciela Ramirez, and thus denying her right to due process of law before a court in the U.S.A. nation.

II

Whereas—the presiding judge Zardenetta of said court, along with the plaintiff lawyers of such Cause No. 31,320, threatened (defendant) Maria Graciela Ramirez, on several occasions, with severe punishment when she refused to accept the one-sided judgment that voided her right to due process of law, and thus took away her property by force and fear.

III

Whereas—at the court hearing of October 24, 1979, of such court, petitioner (as defendant) Maria Graciela Ramirez, on insisting to her right to due process of law, and refusing to accept a one-sided judgment as final verdict, on orders of the presiding judge and plaintiff lawyers,

was mentally and physically terrorized and tortured, and placed in a dungeon as the judge stated that she had to "purge" herself—for daring to insist on her right to due process of law before a court in the United States of America—just like in dictator nation courts where infamy replaces due process of law.

IV

Whereas—petitioner Maria Graciela Ramirez without her right of due process of law stands defenseless before any U.S.A. court, and as defenseless has been denied the protection of the law by state and federal authorities as she is inhumanly attacked, libeled, and her property violated.

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No. 80-

IN THE

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October Term, 1980

IN RE:

MARIA GRACIELA RAMIREZ

PETITION FOR WRIT OF MANDAMUS RULE 27.1

Petitioner, Maria Graciela Ramirez, prays that a writ of mandamus be issued to presiding judge Antonio Zardenetta of the 111th Judicial District Court for Webb County, Texas, in that grave and inhuman violations of constitutional rights have been perpetrated against petitioner Maria Graciela Ramirez, in the procedures of Cause No. 31,320 at such court.

Petitioner, Maria Graciela Ramirez, begs the court for a writ of mandamus to restrain the presiding judge of such court from further proceeding with Cause No. 31,320, which has moved completely under grave violations of the U.S.A. Constitutional Rights—specifically the grave violation upon the 5th and 14th amendments of due process of law, and the violation of the 8th amendment with the imposing of severe and inhuman punishment upon petitioner Maria Graciela Ramirez.

Where-as, the Supreme Court of the United States has previously rejected an investigation of such grave violations upon the U.S.A. Constitution, by denying the petition of certiorari in Cause No. 80-194 at such court—and because of the severity of such constitutional violations within the U.S.A. courts that threaten to destroy the very basis of justice—then petitioner, Maria Graciela Ramirez, begs the court for a writ of mandamus until the U.S.A. President and Congress can bring about an investigation and a decision on whether to accept or reject—

1. that due process be violated in the courts of Texas —and thus, due process no longer equal for all, thereby voiding the 5th and 14th amendments rights.
2. that terror and torture now be part of Texas court procedures, imposed by the presiding judge and opposing lawyers, forced on those persons who insist upon their right to due process, thereby voiding the 8th amendment rights.
3. that a person petitioning for the right to due process of law before a Texas court shall be classified as a criminal, and such petition identified as a crime, thereby voiding the 4th, 5th, 8th, and 14th amendment rights.
4. that a contempt of court citation now be used by the presiding Texas judge to impose jail punishment and blackmail ransom money upon those persons who insist to the court for their right to due process of law, thereby voiding the civil and human rights of a person.
5. that court transcripts, of vital evidence to the process of justice, be withheld and denied, in violation as obstruction of justice.

Jurisdictional Statement

The Supreme Court of the United States as the protector and interpretar of the U.S.A. Constitution has a direct and exclusive jurisdiction to investigate (writ of certiorari), and to halt (writ of mandamus) when constitutional rights are violated within the courts of the nation. For the U.S. Supreme Court to refuse to accept such petitions from a citizen, is to force such citizen to live by doctrines of infamy imposed by U.S.A. court judges, and thus democratic doctrines of justice rendered void.

Constitutional and Statutory Provisions Involved

4th Amendment—Right to be secure in their person—against *unreasonable searches and seizures—no warrants shall issue, but upon probable cause—.*

5th Amendment—No person shall be deprived of life, liberty, or property, *without due process of law.*

8th Amendment—Excessive bail shall not be required, *nor excessive fines imposed, nor cruel and unusual punishment inflicted.*

14th Amendment—Nor shall *any state deprive any person of life, liberty, or property without due process of law; nor deny* any person within its jurisdiction the *equal protection of the law.*

U. S. Code, Title 28, Section 1651. *Writs*—The Supreme Court and all courts established by Act of Congress

may issue all writs necessary or appropriate in aid of their respective jurisdcitions and agreeable to the usages and principles of law. "The Supreme Court shall have power to issue writs of mandamus in cases warranted by the principles and usages of law to any court appointed under the authority of the United States ——".

U.S. Code, Title 28, Section 1652, *State laws as rules of decision*—The laws of the several states, *except where the Constitution* or treaties *of the United States or Acts of Congress otherwise require or provide,* shall be regarded as rules of decision in civil actions in the courts of the United States in cases where they apply.

(The presiding judge, and opposing plaintiff lawyers, of the 111th Judicial District Court for Webb County, Texas, in Cause No. 31,320—gave priority to Texas rules over the U.S.A. Constitutional Rights—thus relegating the U.S.A. Constitution worthless by making Texas a sovereignty and the U.S.A. nation an alien nation.).

Respectfully submitted,

Maria Graciela Ramirez
Petitioner, Pro se
1517 Garcia Street
Laredo, Texas 78040
(512) 723-6925

ADDENDA

ADDENDA

Section A—Texas Court Involved

THE 111TH JUDICIAL DISTRICT COURT

FOR WEBB COUNTY, TEXAS
at Laredo, Texas

Cause No. 31,320

GOOD HOPE REFINERIES, INC., and
ENSEARCH EXPLORATION, INC.,

Plaintiffs,

v.

MARIA GRACIELA RAMIREZ and
MARIA IRENE RAMIREZ,[1]

Defendants.

Presiding Judge: ANTONIO A. ZARDENETTA

Plaintiff Counsel:

MORRIS M. REESE, JR.
ANTONIO ALVARADO
RICARDO D. PALACIOS
ELMA T. SALINAS
(All attorneys above with address of
1800 Victoria St., Laredo, Texas 78040
Telephone: (512) 723-2986
Simon Philip III (Houston, Texas)

Defendant Counsel:

MARIA GRACIELA RAMIREZ, Pro se

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1. Later was dismissed.

Section B—Federal Courts Involved

UNITED STATES COURT OF CLAIMS

Cause No. 8-80 C

MARIA GRACIELA RAMIREZ,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,

Defendant.

Motion:

Plaintiff—Petition for Dispositive Motion (Rule 52a). Filed January 4, 1980

Court—Decision to Dismiss—in favor of defendant. Filed May 16, 1980

SUPREME COURT OF THE UNITED STATES

Cause No. 80-194

MARIA GRACIELA RAMIREZ,

Petitioner,

v.

THE UNITED STATES OF AMERICA,

Respondent.

Motions:

Petitioner—Petition For A Writ Of Certiorari To The United States Court Of Claims (U.S. Code, Title 28, Section 1254) Filed August 8, 1980—Denied October 14, 1980

Petitioner—Petition For Rehearing Under Rule 51.2 Filed November 6, 1980—Denied December 8, 1980

Section C—Reply to Pre-trial Order

IN THE 111TH DISTRICT COURT

FOR WEBB COUNTY, TEXAS

No. 31,320

GOOD HOPE REFINERIES, INC., and
ENSEARCH EXPLORATION, INC.,

Plaintiffs,

vs.

MARIA GRACIELA RAMIREZ,

Defendant.

TO PRESIDING JUDGE OF SAID COURT: Antonio A. Zardenetta

MARIA GRACIELA RAMIREZ, Defendant, again denies all the allegations of infamy in Plaintiff's petition presented to the court on April 6, 1979.

Because Presiding Judge Zardenetta, and the plaintiff lawyers moved totally under doctrines of injustice and inhumanity, by denying the Right of Due Process of Law to defendant Maria Graciela Ramirez, and using criminal and barbarian tactics of blackmail, terror and torture to silence her cry for her Right to due process of law—then defendant, Maria Graciela Ramirez, declines to present herself before the court of infamy of Judge Zardenetta, until the officials of the U.S.A. nation answer to their consent of such treason upon Justice.

As for the pre-trial and final hearing set for February 17 and 26 of 1981—the presiding judge Zardenetta and plaintiff lawyers can bring such hearings to its conclusion the same way it was started—on one-sided testimony, with due process voided, and with the legalizing of fraud, perjury, larceny, obstruction of justice, abuse of power, and treason against the U.S.A. Constitutional Rights.

Cause No. 31,320 has now become the first to challenge the value of the 5th and 14th amendments of rights to Due Process of Law, within the courts of the U.S.A. nation—and the first to inhumanly punish and identify as criminals those who petition for their Rights to Due Process of Law before a U.S.A. court.

The hearings of February 17 and 26 are to be sent to the Clerk of The United States Supreme Court, Washington, D. C. 20543—to be placed on the files of Cause No. 80-194.

Respectfully submitted,

/s/ Maria Graciela Ramirez, *Pro se*

Maria Graciela Ramirez
1517 Garcia St.
Laredo, Texas 78040
January 22, 1981

Marta Alicia Garcia
Notary of Webb County, Tx.